

103^D CONGRESS
1ST SESSION

H. R. 3719

To establish a wellness program for Americans.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 23, 1993

Mr. LEWIS of California introduced the following bill; which was referred to
the Committee on Energy and Commerce

A BILL

To establish a wellness program for Americans.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be referred to as “The Well America
5 Act”.

6 **SEC. 2. WELLNESS TRUST FUND.**

7 (a) ESTABLISHMENT.—There is hereby created on
8 the books of the Treasury of the United States a trust
9 fund to be known as the “Wellness Trust Fund”. The
10 Wellness Trust Fund shall consist of such gifts and be-
11 quests as may be made and such amounts as may be de-
12 posited in, or appropriated to, such fund.

1 (b) There are hereby appropriated to the Trust Fund
2 for each year 4 percent of all health care premiums, as
3 well as 4 percent of all Federal expenditures on health
4 care for populations served outside of health care plans.

5 **SEC. 3. WELLNESS PROGRAM.**

6 (a) WELLNESS VOUCHER.—The Secretary shall issue
7 to each enrollee satisfying the conditions of paragraph (b)
8 a wellness voucher card which may be used for identifica-
9 tion, verifying eligibility for benefits under this section,
10 and processing of payments under this section to partici-
11 pating wellness providers selected by the enrollee. The
12 wellness voucher card shall bear an indication of its total
13 value as computed under paragraph (g), the portion of its
14 value used and the portion remaining at any time. The
15 wellness voucher card function may be incorporated into
16 the health security card.

17 (b) ELIGIBILITY.—Those eligible for wellness benefits
18 are:

- 19 (1) Any enrollee thirty years of age or older;
20 (2) Any enrollee under thirty years of age who
21 is certified by his or her primary care provider as in
22 special need of wellness benefits as a result of un-
23 usual physical characteristics or conditions; or
24 (3) Any enrollee under thirty years of age who
25 uses tobacco, for the purpose of a tobacco-use-ces-

1 sation program; or whose cholesterol condition is
2 certified by his primary care provider to place him
3 or her at high health risk, for the purpose of a
4 weight-loss, nutrition, or exercise program; or whose
5 body weight is certified by his primary care physi-
6 cian to place him or her at high health risk, for the
7 purpose of a weight-loss, nutrition or exercise pro-
8 gram.

9 (c) BENEFITS.—Benefits provided under this section
10 are intended to promote greater health and reduced injury
11 and illness through programs which increase general
12 health status, or promote healthier lifestyles by changing
13 health related behaviors, such as hygiene or nutritional
14 education programs. They are not intended to duplicate
15 or substitute for therapeutic or rehabilitative services more
16 properly included in treatments for illnesses, injuries or
17 conditions covered by medical benefits. In addition to the
18 activities specified in paragraph (b)(3), States shall peri-
19 odically determine the range of other services eligible for
20 reimbursement from wellness voucher funds. Enrollees eli-
21 gible under paragraph (b)(2) are eligible only for such
22 benefits related to the characteristic or condition certified
23 by the primary care provider.

24 (d) ENROLLEE USE.—An eligible enrollee obtains
25 benefits under this section by presenting the wellness

1 voucher card to a participating wellness provider in return
2 for covered benefits up to the total value remaining on
3 the card. Covered benefits costing more than the value re-
4 maining on the card may be purchased, but the enrollee
5 is personally responsible for the portion of the cost which
6 exceeds the value remaining on the voucher card.

7 (e) PARTICIPATING PROVIDERS.—

8 (1) Wellness providers must be licensed under
9 any applicable State laws relating to the activities
10 provided. The States may establish standards for
11 minimum solvency and insurance (which may include
12 bonding) for participating providers.

13 (2) As a condition of participation in the pro-
14 gram established by this section, providers agree to
15 provide a defined course of covered benefits in re-
16 turn for the payment made by the Secretary under
17 this section, to provide covered benefits in return for
18 payment in full by the Secretary from a portion of
19 the value of the wellness voucher, or to provide cov-
20 ered benefits to be paid in part by payment from the
21 Secretary under this section.

22 (3) As a condition of participation in the pro-
23 gram established by this section, providers must
24 agree to inform the enrollee's primary care physician
25 of the services rendered and consult with the pri-

1 mary care physician if requested on any ongoing
2 course of services.

3 (4) Each State shall maintain a list of wellness
4 providers satisfying the requirements of this Act,
5 which it shall make public and shall transmit to the
6 Secretary, and shall promptly notify the Secretary of
7 any additions thereto or deletions therefrom.

8 (f) PAYMENT.—The Secretary shall establish a mech-
9 anism for paying to participating providers from the
10 Wellness Trust Fund the cost of covered benefits under
11 this section as they are provided, and as claims for same
12 are made. In no event shall the Secretary be liable for
13 so much of claims which individually or in the aggregate
14 exceed the value of the enrollee's wellness voucher.

15 (g) COMPUTATION OF WELLNESS VOUCHER
16 VALUE.—Prior to the beginning of each year, the Sec-
17 retary shall project the total income to the Wellness Trust
18 Fund for the coming year, and shall divide this figure,
19 less a contingency reserve not to exceed 2 percent, by the
20 number of enrollees whom the Secretary projects will be
21 eligible for benefits under this section in that year. The
22 quotient is the value of the wellness voucher of each eligi-
23 ble enrollee for that year, except that the Secretary may
24 adjust the value of wellness vouchers relative to each other
25 to take into consideration differences in the cost of serv-

1 ices among States or alliance service areas. Such process
2 of adjustment shall not increase the total aggregate value
3 of all wellness vouchers.

4 **SEC. 4. DEFINITIONS.—**

5 For purposes of this title:

6 (a) “Enrollee” means an individual—

7 (i) who is entitled to participate in an alli-
8 ance or who is provided health benefits through
9 a Federal health care program outside of an al-
10 liance, and

11 (ii) who is entitled to receive services under
12 this Act.

13 (b) “Primary care providers” means a primary
14 care physician with the training and experience to
15 assess and treat the full range of basic health care
16 needs, and properly coordinate and refer to others
17 for specialized treatment, or, if licensed or certified
18 as such under State law, a nurse practitioner with
19 equivalent training and experience.

20 (c) “Provider” means any person who provides
21 services to enrollees or to other providers for enroll-
22 ees within the meaning of this Act.

23 (d) “Participating provider” means providers
24 who have agreed to abide by the conditions and re-
25 quirements of this Act.

1 (e) “Secretary” means the Secretary of the
2 Treasury unless otherwise specified.

3 (f) “Services” includes goods, such as equip-
4 ment.

